



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-70,832-05

EX PARTE JEDIDIAH ISAAC MURPHY, Applicant

**ON APPLICATION FOR WRIT OF HABEAS CORPUS
CAUSE NO. W-0002424-C IN THE 194TH JUDICIAL DISTRICT COURT
DALLAS COUNTY**

Per curiam.

ORDER

This is a subsequent application for a writ of habeas corpus filed pursuant to the provisions of Texas Code of Criminal Procedure Article 11.071 § 5 and a motion to stay Applicant's execution.¹

In June 2001, Applicant was convicted of the offense of capital murder. *See* TEX. PENAL CODE ANN. § 19.03(a). The jury answered the special issues submitted pursuant to

¹ Unless otherwise indicated, all references to Articles in this order refer to the Code of Criminal Procedure.

Article 37.071, and the trial court, accordingly, set punishment at death. This Court affirmed Applicant's conviction and sentence on direct appeal. *Murphy v. State*, 112 S.W.3d 592 (Tex. Crim. App. 2003). This Court denied relief on the claims raised in Applicant's initial post-conviction application for a writ of habeas corpus and dismissed his subsequent application as an abuse of the writ. *Ex parte Murphy*, No. WR-70,832-01 (Tex. Crim. App. Mar. 25, 2009) (not designated for publication); *Ex parte Murphy*, No. WR-70,832-02 (Tex. Crim. App. Mar. 21, 2012) (not designated for publication). Applicant's instant post-conviction application for a writ of habeas corpus was filed in the trial court on September 27, 2023.

In his application, Applicant alleges that his trial counsel was ineffective at the guilt and punishment phases of his trial (Claims 1 & 2); that the State presented false evidence at trial (Claim 3) and violated *Brady v. Maryland*, 373 U.S. 83 (1963) (Claim 4); that his death sentence violates the Eighth Amendment because he is mentally ill (Claim 5); and that predicting future dangerousness is an unconstitutional impossibility (Claim 6). We have reviewed the application and find that Applicant has failed to show that he satisfies the requirements of Article 11.071 § 5. Accordingly, we dismiss the application as an abuse of the writ without reviewing the merits of the claims raised. Art. 11.071 § 5(c). We deny Applicant's motion to stay his execution.

IT IS SO ORDERED THIS THE 4th DAY OF OCTOBER, 2023.

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